

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAYS INNS WORLDWIDE, INC.,
formerly known as DAYS INNS OF
AMERICA, INC., a Delaware Corporation,

Plaintiff,

v.

JBS INC., II a South Carolina Corporation;
JONATHAN B. SMITH, an individual; and
MARCI SINGLETON SMITH, an
individual,

Defendants.

Civil Action No. 08cv0027 (VM)

**SUPPLEMENTAL AFFIDAVIT OF
SERVICE**

STATE OF NEW JERSEY)
)SS:
COUNTY OF ESSEX)

BRYAN P. COUCH, being duly sworn, according to law, upon his oath, deposes
and says:

I am an attorney-at-law of the State of New Jersey and am an associate with the
firm of Connell Foley LLP, attorneys for plaintiff Days Inns Worldwide, Inc. ("DIW"), in
the above matter.

1. By letter dated February 6, 2008 a copy of which is attached hereto as
Exhibit A, a copy of the summons and complaint was sent via regular mail to Jonathan B.
Smith. Mr. Smith had contacted this office prior to that date and advised that he would
accept service at the addresses listed on the attached letter.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

CONNELL FOLEY LLP
Attorneys for Plaintiff,
Days Inns Worldwide, Inc.

By: _____

BRYAN P. COUCH

Dated:

3/19/08

EXHIBIT A

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*ALSO ADMITTED IN NEW YORK
*ALSO ADMITTED IN PENNSYLVANIA
—ONLY ADMITTED IN NEW YORK

WRITER'S DIRECT DIAL

February 6, 2008

Via Regular Mail
Jonathan B. Smith
228 North Front Street, Suite 101
Wilmington, North Carolina 28401

Jonathan B. Smith
977 Briarwood Drive
Myrtle Beach, South Carolina 29572

Re: **Days Inns Worldwide, Inc. v. JBS Inc., II, a South Carolina Corporation, et al.**
Civil Action No. 08-cv-0027

Dear Mr. Smith:

Pursuant to your recent telephone discussion with our office, enclosed is a copy of the Summons and Complaint in this matter, filed on January 3, 2008.

This correspondence shall confirm that you have agreed to accept service of same via regular mail. Please be guided accordingly.

Very truly yours,


MATTHEW S. SCHULTZ

MSS/ia
Enclosures
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